

FILED

JAN 19 2011

RICHARD W. WIEKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION

UNITED STATES OF AMERICA,)	No. CR 08-00864 CW (DMR)
Plaintiff,)	
v.)	DETENTION ORDER
ERIC MORRIS,)	
Defendant.)	

I. DETENTION ORDER

Defendant Eric Morris is charged in an indictment with a violation of 18 U.S.C. § 751(a) (Escape). On January 13, 2011, the United States moved for Mr. Morris' detention pursuant to 18 U.S.C. § 3142(f)(2)(A) (because there is a serious risk that the defendant will flee), and asked for a detention hearing, as permitted by 18 U.S.C. § 3142(f). Mr. Morris did not request a full bail study at this time. Pretrial Services did, however, prepare a criminal record report. At the January 19, 2011 hearing before this Court, Mr. Morris waived the timing of his right to proffer information at a detention hearing, *see* 18 U.S.C. § 3142(f) (a defendant has the right at a section 3142(f) hearing, with the assistance of counsel, to testify, to present witnesses, to cross-examine

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1 adverse witnesses, and to present information by proffer or otherwise), but he retained his right to
2 raise any additional relevant information at a later hearing. .

3 After considering the limited information available to the Court, and the factors set forth
4 in 18 U.S.C. § 3142(g), the Court detains Mr. Morris as a serious risk of flight and finds that no
5 condition or combination of conditions in 18 U.S.C. § 3142(c) will reasonably assure his
6 appearance in this case. *See* 18 U.S.C. §§ 3142(e) and (f); *United States v. Motamedi*, 767 F.2d
7 1403, 1406 (9th Cir. 1985).

8 II. CONCLUSION

9 The Court detains Mr. Morris as a serious flight risk. Because Defendant waived his right
10 to present information under 18 U.S.C. § 3142(f) without prejudice to raising relevant
11 information at a later hearing, the Court orders that the hearing may be reopened at Defendant's
12 request at any future time.

13 Mr. Morris shall remain committed to the custody of the Attorney General.

14 IT IS SO ORDERED.

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17 DATED: January 19, 2011



DONNA M. RYU
United States Magistrate Judge